

रजिस्टर्ड नं ० पी०/एस० एम०-१४.



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 28 सितम्बर, 1985/6 आश्विन, 1987

हिमाचल प्रदेश सरकार

EXCISE & TAXATION DEPARTMENT

NOTIFICATIONS

Shimla-2, the 2nd September, 1985

No. EXN.B (2)-8/84.—In exercise of the powers conferred by Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make the following rules further to amend the Recruitment and Promotion Rules in

respect of Class-II post of Excise & Taxation Officers in the Excise and Taxation Department notified *vide* notification No. Rev. 9-354/59, dated 26th November, 1970:—

1. *Short title and commencement.*—(i) These rules may be called the Recruitment and Promotion Rules for the post of Excise & Taxation Officers (Amendment) Rules, 1984.

(ii) They shall come into force at once.

2. *Substitution of provision against col. 4 of Annexure-A of the Recruitment & Promotion Rules for the post of E.T.O.—Rs. 825-1580.*

3. *Substitution of provision against Col. No. 7 of Annexure-A.—Desirable:* Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in Himachal Pradesh.

Note.—Every member of service shall pass departmental examination as prescribed in the Himachal Pradesh Departmental Examinations Rules, 1976 as amended from time to time, failing which he shall not be eligible to,—

(i) cross the efficiency bar next due;

(ii) confirmation in the service even after completion of probationary period ; and

(iii) promotion to the next higher post:

Provided that an officer who has qualified the departmental examination in whole or in part prescribed under any rules before the notification of these rules, shall not be required to qualify the whole or in part, of the examination as the case may be:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st of March, 1976 shall not be required to qualify the departmental examination prescribed under these rules:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who had not attained the age of 45 years on 1-3-1976, shall not be required to qualify the departmental examination prescribed under these rules after attaining the age of 50 years for the purposes of (i) crossing the efficiency bar next due and (ii) confirmation in the service after completion of probationary period.

2. An officer on promotion to a higher post in his direct line or promotion shall not be required to pass the aforesaid examination if he has already passed the same in the lower gazetted post.

3. The Government may in consultation with the Himachal Pradesh Service Commission, grant in exceptional circumstances and for reasons to be recorded in writing, exemption in accordance with the Departmental Examination Rules to any class or category of persons from the departmental examination in whole or in part provided that such officer is not likely to be considered for any other higher promotion before the date of his superannuation.

4. *Substitution of provision against col. No. 11 of Annexure A.—By promotion from amongst (i) Excise & Taxation Inspectors with at least 10 years regular service in the grade—50%.*

(ii) Superintendent Grade-III/Supdt. Grade IV/Assts./Accountant/ Sr. Scale Stenographers of the Excise & Taxation Department with at least 10 years regular service in the grade of Supdt. Grade-III/Supdt. Grade-IV/Assistants/Accnts/Sr. Scale Stenographers in the grade—16-2/3% (For purposes of promotion, the Supdt. Grade-III will be kept en-bloc above Supdt. grade—IV/Assis-

tants/Accountants/Sr. Scale Stenographers, in the seniority list prepared on the basis of date of regular appointment in the respective grades).

Note.—In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad-hoc* one) in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior officials in the field of consideration:

Provided that all incumbents to be considered for promotion/confirmation should possess the minimum qualifying service of at least three years or that prescribed in the relevant Recruitment and Promotion Rules for the post/service whichever is less :

Provided further that where a person becomes ineligible to be considered for promotion/confirmation, on account of the requirement prescribed in the preceding proviso, the person (s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

5. *Addition of rule-14.*—After the existing rule-13, the following rule 14, shall be added, namely:—

“Relaxation of Rules.—Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing and in consultation with Himachal Pradesh public Service Commission relax any of the provisions of these rules, with respect to any class or category of persons or post.

6. *Deletion of foot note-2.*—Foot note-2 appearing below the said Recruitment and Promotion Rules shall be deleted.

Shimla-2, the 2nd September, 1985

No. EXN-B (2)-8/84.—In exercise of the powers conferred by Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make the following rules further to amend the Recruitment and Promotion Rules in respect of Class-II post of Asstt. Excise & Taxation Commissioner in the Excise and Taxation Department notified *vide* notification No. EXN. B (14)-4/79 dated 1st December, 1980:—

1. *Short title and commencement.*—(i) These rules may be called the Recruitment and Promotion Rules for the post of Asstt. Excise & Taxation Commissioner (Amendment) Rules, 1984.

(ii) They shall come into force at once.

2. *Substitution of provision against col. 3 of Annexure I of the recruitment and Promotion Rules for the post of AETC.—*

Class-I (Gazetted)
Class-II (Gazetted).

3. *Substitution of provision against Col. 1 & 12 of Annexure I.*—By promotion from amongst Excise and Taxation Officers with 5 years regular service in the grade, failing which from amongst Excise and Taxation Officers with 8 years regular service both as Excise and Taxation Officer/Asstt. Excise & Taxation Officer combined.

Class-I (Gazetted).

4. *Addition of rule-14.*—After the existing rule-13, the following rule-14, shall be added, namely:—

"Relaxation of Rules.—Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing and in consultation with Himachal Pradesh Public Service Commission relax any of the provisions of these rules, with respect to any class or category of persons or post."

5. *Deletion of foot Note-7.*—Foot note-7 appearing below the said Recruitment and Promotion Rules shall be deleted.

6. *Substitution of foot note-12 appearing below the Recruitment and Promotion Rules for the post of Asstt. Excise & Taxation Commissioner.*—Foot Note-12 appearing below the Recruitment and Promotion Rules for the post of Asstt. Excise & Taxation Commissioner shall be substituted as under:—

"Every member of the service shall pass departmental examination as prescribed in the Himachal Pradesh Departmental Examinations Rules, 1976 as amended from time to time failing which he shall not be eligible to:—

- (i) cross the efficiency bar next due;
- (ii) confirmation in the service even after completion of probationary period; and
- (iii) promotion to the next higher post:

Provided that an officer who has qualified the departmental examination in whole or in part prescribed under any rules before the notification of these rules, shall not be required to qualify the whole or in part, of the examination as the case may be:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st of March, 1976 shall not be required to qualify the departmental examination prescribed under these rules:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has not attained the age of 45 years on 1-3-1976, shall not be required to qualify the departmental examination prescribed under these rules after attaining the age of 50 years for the purpose of (i) Crossing the efficiency bar next due and (ii) confirmation in the service after completion of probationary period.

2. An officer on promotion to a higher post in his direct line of promotion shall not be required to pass the aforesaid examination if he has already passed the same in the lower gazetted post.

3. The Government may in consultation with the Himachal Pradesh Public Service Commission, grant in exceptional circumstances and for reasons to be recorded in writing, exemption in accordance with the Departmental Examination Rules to any class or category of persons from the departmental examination in whole or in part provided that such officer is not likely to be considered for any other higher promotion before the date of his superannuation.

Shimla-171002, the 2nd September, 1985

No. EXN.B (2)-8/84.—In exercise of the powers conferred by Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to make the following rules further to amend the Recruitment and Promotion Rules in respect of Class-I post of Dy. Excise and Taxation Commissioner in the Excise and Taxation Department notified *vide* notification No. 19-14/72-E&T (Sectt) dated 20th December, 1973:—

1. *Short title and commencement.*—(i) These rules may be called the Recruitment and Promotion Rules for the post of Dy. Excise and Taxation Commissioner (Amendment) Rules, 1984.

(ii) They shall come into force at once.

2. *Addition of rule-14.*—After the existing rule-13, the following rule-14, shall be added, namely:—

"Relaxation of Rules.—Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing and in consultation with Himachal Pradesh Public Service Commission relax any of the provisions of these rules, with respect to any class or category of persons or post."

3. *Deletion of foot note 2.*—Foot note-2 appearing below Recruitment and Promotion Rules for the post of Dy. excise & Taxation Commissioner, shall stand deleted.

S. S. SIDHU,
Secretary.

OFFICE OF THE DISTRICT MAGISTRATE, KANGRA AT DHARAMSHALA

NOTIFICATION

Dharamshala the 31st August, 1985

No. FDS-D/Shala-84.—In supersession of all previous orders regarding fixation of maximum retail sale rates and in exercise of the powers conferred upon me under clause 3 (i) (e) of the Himachal Pradesh Hoarding and Profiteering Prevention Order, 1977 as amended *vide* Himachal Pradesh Government notification No. FDS-A-3 (2)/77, dated 30-10-80, I, P.C. Dogra, District Magistrate, Kangra at Dharamshala hereby fix the maximum retail sale rates inclusive of all taxes of the following commodities as under:—

S. No.	No. of the articles as per schedule	Name of the com- modity	Maximum retail sale rates inclusive of all taxes
1	2	3	4
1.	2	Bread	1. Rs. 1.70 per bread of 400 gm. manufactured locally in any town/city of Kangra district. 2. Rs. 1.75 per bread of 400 gm. received from outside the locality of any town/city duly manufactured within Kangra district. 3. Rs. 1.80 per bread of 400 gm. received from outside Kangra district or from any neighbouring State.
2.	12	Meat Rs. 19.00 Chicken Rs. 21.00 Broiler Rs. 24.00 (Per kg.)	These rates are applicable for whole of Kangra district.

FISH CATEGORIES

The maximum retail price/sale price including all taxes per kg.

	1	Kalbans &	Gildbata	Mali, Singhara, soul and all others	
		Unfried	Fried	Unfried	Fried
	2	3	4	5	
Nurpur & Dehra Sub-Div.	10.50	18.00	12.50	21.00	
Dharamshala Town and Kangra Sub-Division.	12.50	21.00	14.50	23.00	
Palampur Sub-Division	12.50	21.00	15.00	24.00	
3. 13	Eggs	0.60 per egg & Rs. 7/- per dozen (Large above 50 gm.) 0.55 per egg & Rs. 6.50 per dozen (small below 50 gm.)			These rates are applicable for whole of Kangra district.

4. 18 MILK / CURD

1. Kutch Milk	Rs. 3.00 per litre
2. Boiled Milk	Rs. 3.40 -do-
3. Sweetened Milk	Rs. 3.90 -do-
4. Curd	Rs. 4.50 per kg.

These rates will be applicable for whole of Kangra district.

17. Cooked food served in Dhabas (Cheap eating houses) located in the jurisdiction of Municipal Committee, Notified Area Committee in the district:

1. Diet (including one vegetable, one dal and chapati and rice)	Rs. 3.25.
2. Chapati of 50 gm.	Rs. 0.30 each.
3. Rice	Rs. 1.25 per plate.
4. Vegetable (Special)	Rs. 1.65 -do-
5. Meat (Minimum total weight of pieces 150 gm.)	Rs. 5.75 -do-
6. Chicken (Minimum total weight of pieces 200 gm.)	Rs. 7.50 -do-

This notification will remain in force for a period of one month from the date of issue or till new rates are notified whichever is later.

P. C. DOGRA,
District Magistrate,
Kangra.

राजस्व विभाग
(स्टाम्प रजिस्ट्रेशन सेक्टर)

अधिसूचनाएं

शिमला-171002, 11 सितम्बर, 1985

मंडपा रेव-1-6 (स्टाम्प) 2/80.—हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश में यथा लागू रजिस्ट्री-करण अधिनियम, 1908 (1908 का 16) को धारा 78 एवं 79 द्वारा प्रदत्त शक्तियों और इस सम्बन्ध में

उन्हें संग्रह करने वाली अन्य सभी शक्तियों का प्रयोग करते हुए, राजपत्र, हिमाचल प्रदेश तारीख 6 जून, 1970 में पृष्ठ 428 से 430 पर प्रकाशित इन विमाग की अधिसूचना संख्या 17-13/66-रेव-1, तारीख 14 अप्रैल, 1969 से उपार्वक समय-समय पर यथा संशोधित रजिस्ट्रीकरण कीस सारणी (जैसे इसमें आगे "कथित सारणी" कहा गया है) में तत्काल से, निम्नलिखित और संशोधन करते हैं, नामतः--

AMENDMENT

Amendment of Table of Registration Fees.—After proviso 13 of Article-I of the said table, the following new proviso shall be inserted, namely:—

"14. Provided further that no registration fee shall be chargeable on any instrument executed by the farmers owning at least 4 hectares of cultivable land for taking loan from the commercial banks upto the limit of Rs. 50,000/- (Rupees fifty thousand) for the purchase of tractor."

शिमला-171002, 11 सितम्बर, 1985

संख्या रेव-1-6(स्टाम्प) 2/80.—हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश राज्य में यथा प्रवृत्त भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कम से कम 4 हैक्टर खेती योग्य भूमि पर स्वाभित्व रखने वाले किसानों द्वारा वाणिज्यिक बैंकों से 50,000/- रुपये (पचास हजार रुपये) की सीमा तक ट्रैक्टर खरीदने के लिए क्रेडिट लेने के लिए छूट देने के लिए निष्पादित किसी नियमित पर, कठिन अधिनियम के अधीन प्रभार्य स्टाम्प शुल्क से, सम्पूर्ण हिमाचल प्रदेश में तत्काल से छूट देते हैं।

आदेश द्वारा,
अत्तर सिंह,
सचिव (राजस्व)।

[Authoritative English text of Himachal Pradesh notification No. Rev. 1-6 (Stamp) 2/80 dated September 11, 1985 as required under Article 348 (3) of the Constitution of India.]

REVENUE DEPARTMENT

(Stamp-Registration Cell)

NOTIFICATION

Shimla-171002, the 11th September, 1985

No. Rev. 1-6 (Stamp) 2/80.—In exercise of the powers conferred upon him by sections 78 and 79 of the Registration Act, 1908 (XVI of 1908) as applicable to Himachal Pradesh and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to make the following further amendment with immediate effect in the Table of Registration Fees annexed to this Department notification No. 17-13/66-Rev-I dated the 14th April, 1969 published in Rajpatra,

Himachal Pradesh dated 6th June, 1970 at pages 428 to 430 (hereinafter called the "said Table") as amended from time to time, namely:—

AMENDMENT

Amendment of Table of Registration Fees.—After proviso 13 of Article-I of the said Table, the following new proviso shall be inserted, namely:—

"14. Provided further that no registration fee shall be chargeable on any instrument executed by the farmers owning at least 4 hectares of cultivable land for taking loan from the commercial banks upto the limit of Rs. 50,000/- (Rupees fifty thousand) for the purchase of tractor."

By order,
ATTAR SINGH,
Secretary.

आबकारी तथा कराधान विभाग

अधिसूचना

शिमला—171002, 13 सितम्बर, 1985

संख्या इ-०-एक्स-०-एन-०-१(१६)-७४-पी-०-टी-०.—जब कि हिमाचल प्रदेश के राज्यपाल द्वारा हिमाचल प्रदेश सामान्य विक्री कर अधिनियम, 1968 (1968 का 24) की धारा 7 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये राजपत्र, हिमाचल प्रदेश (भ्राष्टाचारण) तारीख 17 जुलाई, 1982 में इस विभाग की अधिसूचना समसंहिता, तारीख 12 अप्रैल, 1982 का उक्त अधिनियम से संलग्न अनुसूची-वी में संशोधन करने के प्रस्ताव का सर्वसाधारण से आक्षेप और सुझाव आमन्वित करने के लिए प्रकाशन किया गया था।

और जबकि इस सम्बन्ध में कोई भी आक्षेप और सुझाव प्राप्त नहीं हुए।

अतः हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश सामान्य विक्री कर अधिनियम, 1968 की धारा 7 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये उक्त अधिनियम से संलग्न अनुसूची-वी में निम्नलिखित संशोधन करते हैं :—

AMENDMENT

For the existing entry at S.No. 45 of Schedule "B" to the Himachal Pradesh General Sales Tax Act, 1968, the following entry shall be substituted, namely:—

"45. All articles of handicrafts prepared by the Tibetan Refugees in their Production Centres/Societies in Himachal Pradesh.	When sold by such Centres/Societies directly to consumers."
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एस० एस० सिद्ध,
सचिव।

मत्स्य पालन विभाग

अधिसूचना

शिमला-171002, 12 सितम्बर, 1985

संख्या मत्स्य-ब(1)-1/84.—भारतीय विभाग के अनुच्छेद 309 के परन्तुक में प्रदत्त व्यक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से हिमाचल प्रदेश मत्स्य पालन विभाग में उप-निदेशक मत्स्य (प्रथम श्रेणी राजपत्रित) के भर्ती एवं पदोन्नति नियम इस अधिसूचना से संचालन परिशिष्ट “क” के अनुसार सहर्ष बनाते हैं, अर्थात्:—

सक्रिय नाम “झोर प्रारम्भ.”—(1) ये नियम हिमाचल प्रदेश मत्स्य पालन विभाग के उप-निदेशक मत्स्य (प्रथम श्रेणी राजपत्रित) के भर्ती एवं पदोन्नति नियम, 1985 कहलायेंगे।

(2) ये नियम तत्काल प्रवृत्त होंगे।

अग्रसं चन्द नेरी,
सचिव।

परिशिष्ट “क”

मत्स्य विभाग हिमाचल प्रदेश में उप-निदेशक मत्स्य (राजपत्रित श्रेणी-I) के पद के लिए भर्ती एवं पदोन्नति नियम

1. पद का नाम
2. पदों की संख्या
3. वेतनमान
4. वर्गीकरण
5. चयन पद या अचयन पद है
6. सीधी भर्ती किए जाने वाले व्यक्तियों के लिये आयु।
7. सीधी भर्ती किए जाने वाले व्यक्तियों के लिए अपेक्षित संशिक और अन्य अर्हताएं।
- उप-निदेशक (मत्स्य) हिमाचल प्रदेश एक (1) 1200-50-1400/60-1700/75-1850 श्रेणी-I (राजपत्रित) प्रबरण (सिर्ले कशन) 45 वर्ष और कम अनिवार्य :
- मान्यता प्राप्त विश्वविद्यालय से जलोजी या मत्स्य में ऐसे ००१० अथवा इसके समकक्ष या। केन्द्रीय मत्स्य प्रशिक्षण संस्थान, बम्बई से मत्स्यीय में डिप्लोमा अथवा इसके समकक्ष।
- मत्स्य पालन में प्रबन्ध या विकास का न्यूनतम 10 वर्षों का अनुभव।
- वार्षित : हिमाचल प्रदेश के रीति रिवाज, जिष्ठाचार एवं भाषा का ज्ञान और प्रदेश में प्रचलित विशेष परिस्थितियों में नियुक्ति के लिये उपयुक्तता। नहीं।
- सीधी भर्ती किए जाने वाले व्यक्तियों के लिए विहित आयु और संशिक अर्हताएं प्रोत्तिकी कक्षा में जाय देनी या नहीं।

9. परिवोक्षा की अवधि, यदि कोई हो दो वर्ष जिसे एक वर्ष की अवधि तक बढ़ाया जा सकता है जैसे कि विशेष परिस्थितियों में लिखित कारण देकर सक्षम प्राधिकारी आदेश दे।

10. भर्ती की पद्धति—भर्ती सीधे होगी या प्रोन्नति, प्रतिनियुक्ति/स्थानान्तरण द्वारा और विभिन्न पद्धतियोंद्वारा भरी जाने वाली रिक्तियों का प्रतिशत। 100 प्रतिशत पदोन्नति द्वारा या ऐसा नहोने की स्थिति में सीधी भर्ती द्वारा।

11. प्रोन्नति/प्रतिनियुक्ति/स्थानान्तरण द्वारा भर्ती की दशा में वे श्रेणियां जिनसे पदोन्नति/प्रतिनियुक्ति/स्थानान्तरण किया जाएगा। उन सहायक मत्स्य निवेशकों (राजपत्रित झेणी-II) में से प्रोन्नति प्राप्त जिनका न्यूनतम सेवा काल उस वेतनमान में 5 वर्ष हो। इस सेवाकाल में 31-12-1983 तक तदर्य सेवा भी सम्मिलित हो सकेगी।

12. यदि विभागीय पदोन्नति समिति विद्यमान हो तो उसकी संरचना। विभागीय प्रोन्नति समिति की बैठक अध्यक्ष, हिमाचल प्रदेश लोक सेवा आयोग या उस द्वारा मनोनीत सदस्य की अध्यक्षता में होगी। जैसा कि विधि के अन्तर्गत अपेक्षित है।

13. भर्ती करने में, जिन परिस्थितियों में हिमाचल प्रदेश लोक सेवा आयोग से परामर्श किया जायेगा।

14. शिथिल करने की शक्ति जहां पर सरकार की यह राय हो कि ऐसा करना उचित और आवश्यक है तो वह आदेश द्वारा कारबो, को लिखित रूप में दर्ज करने तथा हिमाचल प्रदेश लोक सेवा आयोग से परामर्श करके किन्हीं व्यक्तियों अथवा पद को किसी श्रेणी या वर्ग के सम्बन्ध में इन नियमों के किसी भी उपबन्ध में छूट दे सकती है।

15. किसी सेवा या पद पर नियुक्ति के लिये अभ्यर्थी को निम्नलिखित होना चाहिए:—

- (क) भारतीय नागरिक ; या
- (ख) नंपाल की प्रजा ; या
- (ग) भूटान की प्रजा ; या
- (घ) तिब्बती शरणार्थी जो 1 जनवरी, 1962 से पूर्व भारत में स्थाई निवास के आशय से आया हो ; या
- (ङ) भारतीय मूल का व्यक्ति जिसने पाकिस्तान, बर्मा, श्रीलंका, पूर्वी अफ्रीका के देश कीनिया, यूगांडा, यूनाइटेड रिपब्लिक आफ तंजानिया (भूतपूर्व टांगानिका और जन्जीबार), जाम्बिया, मालवी, जैयर तथा इथोपिया से भारत में स्थाई निवास के आशय से प्रवास किया है।

परन्तु प्रवर्ग (ख), (ग), (घ) और (ङ) के अभ्यर्थी ऐसे व्यक्ति होंगे जिनके पक्ष में भारत सरकार/राज्य सरकार ने पावता प्रमाण पत्र जारी किया हो। ऐसे अभ्यर्थी को जिसके मामले में पावता प्रमाण-पत्र आवश्यक हो हिमाचल प्रदेश लोक सेवा आयोग या अन्य भर्ती प्राधिकरण द्वारा संचालित परीक्षा/साक्षात्कार में प्रवेश दिया जा सके, किन्तु उसे नियुक्ति का प्रस्ताव तभी दिया जाएगा जब उसे भारत सरकार/हिमाचल प्रदेश सरकार द्वारा आवश्यक पावता का प्रमाण-पत्र जारी कर दिया जाता है।

16. सीधी भर्ती के लिये आयु सीमा उन अभ्यर्थियों पर लागू नहीं होगी जो पहले ही सरकारी सेवा में हैं।

17. अनुसूचित जातियों/अनुसूचित जनजातियों के अभ्यर्थियों तथा अन्य वर्गों के व्यक्तियों के लिये उच्चतम आयु सीमा में उतनी छूट दी जा सकेगी जितनी हिमाचल प्रदेश सरकार के साधारण या विशेष आदेशों के प्रधीन है।

18. सीधी भर्ती के लिये आयु सीमा की गणना आयोग द्वारा आवेदन-पत्र प्राप्त करने के लिये नियत की गई अन्तिम तारीख से की जायेगी।

19. अन्यथा सुविहित अधिकारियों की दशा में सीधी भर्ती के लिये आयु तथा अनुभव से संबंधित अहंता आयोग के विवेकानुसार शिथिल की जा सकेगी।

20. जब कभी स्तम्भ 2 के अधीन पदों की संख्या में वृद्धि अथवा कमी की जाती है तो स्तम्भ 10 और 11 के उपर्युक्त को सरकार द्वारा हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से संशोधित किया जाएगा।

21. सीधी भर्ती के मामले में इन पदों पर नियकित के लिए चयन लिखित परीक्षण के आधार पर किया जाएगा। जिसका स्तर/पाठ्यक्रम आदि आयोग द्वारा अपने विवेकानुसार अवधारित किया जाएगा।

22. उन सभी मामलों में जहां कि कोई कनिष्ठ व्यक्ति संभरण (फीडर) पद में अपने कुल सेवा काल के अधार पर (जिसके अन्तर्गत तदर्थ सेवा भी है) विचार के लिए पात्र हो जाता है वहां संबंधित प्रवर्ग में उसमें वरिष्ठ सभी व्यक्ति विचार के लिए पात्र समझे जाएंगे और उन्हें विचार करते समय कनिष्ठ व्यक्तियों से ऊपर रखा जाएगा :

परन्तु उन सभी पद धारियों की, जिन पर प्रोन्नति या स्थाई करण के लिए विचार किया जाता है कम से कम तीन वर्ष की न्यूनतम अर्हक सेवा या ऐसी सेवा जो पद के भर्ती और प्रोन्नति नियमों में विहित की गई हो, इन में जो भी कम हो, होने वाहिए परन्तु यह और कि जहां कोई व्यक्ति पूर्ववर्ती परन्तुक में विहित अपेक्षा के कारण प्रोन्नति या स्थाईकरण के विचार किए जाने के लिए अपात्र हो जाता है वहां ऐसी प्रोन्नति या स्थाईकरण के विचार के लिए उससे कनिष्ठ व्यक्तियों को भी अपात्र समझा जाएगा।

23. पब्लिक सैक्टर नियमों तथा स्वायत्त निकायों के सभी कर्मचारियों को जो ऐसे पब्लिक सैक्टर नियमों तथा स्वायत्त निकायों के प्रारम्भिक गठन के समय ऐसे पब्लिक सैक्टर नियमों/स्वायत्त निकायों में आमेलन के पूर्व सरकारी कर्मचारी थे, सीधी भर्ती में आयु सीमा संबंधी ऐसी ही विभायत दी जाएगी जैसी सरकारी कर्मचारियों को अनुज्ञेय है। इस प्रकार की स्वियत्पन्न पब्लिक सैक्टर नियमों तथा स्वायत्त निकायों के उन कर्मचारियों को उपलब्ध नहीं होगी जो उक्त नियमों/स्वायत्त निकायों द्वारा बाद में भर्ती किये गए थे/किए गये हैं और उन पब्लिक सैक्टर नियमों/निकायों के प्रारम्भिक गठन के पश्चात् उन नियमों/स्वायत्त निकायों में अन्तिम रूप से आमेलित किए गये हैं।

24. उक्त सेवा में नियुक्ति हिमाचल प्रदेश सरकार द्वारा समय समय पर अनुसूचित जातियों/अनुसूचित जनजातियों/पिठड़े वर्गों आदि के लिये सेवाओं में आरक्षण के बारे में जारी किये गये आदेशों के अधीन होगी।

25. विभागीय परीक्षा—(1) सेवा में प्रत्येक सदस्य को हिमाचल प्रदेश विभागीय परीक्षा नियम, 1976 तथा उसमें समश्व समय पर होने वाले संशोधनों के अन्तर्गत निर्धारित विभागीय परीक्षा पास करनी अनिवार्य होगी। अन्यथा उक्त सदस्य निम्नलिखित का पात्र नहीं होगा :—

- (क) अगली देय दक्षतारोध पार करने के लिये ;
- (ख) परिवीक्षा अवधि के पूर्ण होने के पश्चात् भी सेवा में स्थाई किए जाने के लिए ;
- (ग) अगली उच्चतर पद पर प्रोन्नति के लिये ।

उपर्युक्त है कि यदि किसी अन्य नियमों के अन्तर्गत सम्पूर्ण या आंशिक रूप से विभागीय परीक्षा पास की हो तो उसे सम्पूर्ण या आंशिक रूप से (जैसे भी स्थिति हो) परीक्षा पास करने की आवश्यकता नहीं होगी :

आगे उपर्युक्त है कि यदि किसी अधिकारी को इस नियमों के अधिसूचित होने से पहले कोई विभागीय परीक्षा निर्धारित नहीं थी और अधिकारी एक मार्च, 1976 को 45 वर्ष की आयु पार कर चुका हो तो उसे इन नियमों के अधीन निर्धारित विभागीय परीक्षा पास करनी आवश्यक नहीं होगी :

आगे और उपर्युक्त है कि यदि किसी अधिकारी को इन नियमों के अधिसूचित होने से पहले कोई विभागीय परीक्षा पास करना निर्धारित नहीं थी और जिसने 1-3-1976 को 45 वर्ष की आयु पूर्ण न की थी उसे 50

वर्ष की आयु पूर्ण करने के पश्चात् इन नियमों के अधीन निम्नलिखित के लिये निर्धारित विभागीय परीक्षा पास करनी आवश्यक नहीं होगी :—

- (i) अगली देव दक्षतारोध पार करने के लिए ; और
- (ii) परिवेक्षावधि पूर्ण होने के पश्चात् सेवा के स्थाई किये जाने के लिये ।

(2) किसी अधिकारी से अपनी प्रोफ्रेशन की सीधी पक्षित में उच्चतर पद पर प्रोफ्रेशन पर विभागीय परीक्षा उत्तीर्ण करने की अपेक्षा नहीं की जाएगी यदि उसने निम्नतर राजपत्रित पद पर ऐसी परीक्षा पहले ही उत्तीर्ण कर ली है ।

(3) हिमाचल प्रदेश सरकार, हिमाचल प्रदेश लोक सेवा आयोग से परामर्श करके असाधारण परिस्थितियों में, तिपिक्क उत्तर परिवर्ग के व्यक्तियों को विभागीय परीक्षा से पूर्णतः या ज्ञागतः छुट दे सकेंगी, परन्तु यदि ऐसे अधिकारी को उसकी सेवा निवृत्ति के दिनांक से पहले किसी अन्य उच्चतर पद के लिए प्रोफ्रेशन हेतु पात्र नहीं समझा जायेगा ।

[Authoritative English text of this Department notification No. Matsya-Kha (1)-1/84, dated the 13th September, 1985 as required under clause (3) of Article 348 of the Constitution is hereby published.]

NOTIFICATION

Shimla-171002, the 13th September, 1985

No. Matsya-Kha (1)-1/84.—In exercise of the powers conferred by proviso to article 309 of the Constitution of India, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to hereby make the Recruitment and Promotion Rules for the post of the Deputy Director of Fisheries (Class I Gazetted) in the Himachal Pradesh Fisheries Department as per Annexure 'Ka' appended to this notification:—

Short title and commencement.—(1) These rules may be called the Himachal Pradesh Fisheries Department's Deputy Director of Fisheries (Class I Gazetted) Recruitment and Promotion Rules, 1985.

(2) These rules shall come into force with immediate effect.

B. C. NEGI,
Secretary.

ANNEXURE "KA"

Recruitment and Promotion Rules for the post of Deputy Director (Fisheries) Class-I in the Department of Fisheries

1. Name of the post	Deputy Director (Fisheries).
2. Number of post	One.
3. Scale of Pay	Rs. 1200-1850.
4. Classification	Class-I (Gazetted).
5. Whether selection post or non-selection post	Selection.
6. Age for direct recruits	45 years and below.
7. Minimum educational and other qualifications required for direct recruits.	<i>Essential.</i> —(i) Master's Degree in Zoology or Fisheries from a recognised University or its equivalent. OR

Associate Diploma of the Central Institute of Fisheries Education, Bombay or its equivalent.

(ii) 10 years experience in Development and Management of Fisheries.

Desirable.—Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

No.

Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and for reasons to be reduced to writing.

100% by promotion failing which by direct recruitment.

By promotion from amongst Assistant Director of Fisheries having at least 5 years regular or regular combined with ad hoc (rendered upto 31-12-83) service as such. DPC to be presided over by the Chairman, Himachal Pradesh PSC or member thereof to be nominated by him.

As required under the law.

Where the Government is of the opinion that it is necessary or expedient to do so, it may by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or post.

15. A candidate for appointment to any service or post must be,—

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tenzania (Formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India.

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in

whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given after the necessary eligibility certificate has been issued to him by the Government of India /Government of Himachal Pradesh.

16. Upper-age limit for direct recruits will not be applicable to the candidates already in the service of the Government.

17. Upper-age-limit is relaxable for Scheduled Castes/Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the Himachal Pradesh Government.

18. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications/receipt of lists of eligible candidates from Employment Exchanges by the Commission.

19. Age and experience for direct recruits relaxable at the discretion of the Commission in the case of candidates otherwise well-qualified.

20. Provisions of columns 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under column 2 are increased or decreased.

21. Selection for appointment to these posts in the case of direct recruitment shall be made on the basis of viva voce test, if Commission so considers necessary or expedient, by a written test the standard/syllabus etc. of which will be determined by the Commission or a practical test.

22. In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including ad-hoc one rendered upto 31-12-83) in the feeder post, all persons senior to him in respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration :

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant recruitment and promotion rules for the post whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion/confirmation on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

23. The employees of all the public sector corporations and autonomous bodies who happened to be Government servants before absorption in public sector corporations/autonomous bodies at the time of initial constitution of such corporations/autonomous bodies, shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.

24. The appointment to the service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes etc. issued by the Himachal Pradesh Government from time to time.

25. Every member of the service shall pass departmental examination as prescribed in the Himachal Pradesh Departmental Examinations Rules, 1976 as amended from time to time, failing which he shall not be eligible to,—

- (i) cross the efficiency bar next due,
- (ii) confirmation in the service even after completion of probationary period, and
- (iii) promotion to the next higher post:

Provided that an officer who has qualified the departmental examination in whole or in part prescribed under any rules before the notification of these rules, shall not be required to qualify the whole or in part, of the examination as the case may be:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st or March, 1976 shall not be required to qualify the departmental examination prescribed under these rules:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who had not attained the age of 45 years on 1.3.1976 shall not be required to qualify the departmental examination prescribed under these rules after attaining the age of 50 years for the purposes of (i) crossing the efficiency bar next due and (ii) confirmation in the service after completion of probationary period.

(2) An officer on promotion to a higher post in his direct line of promotion shall not be required to pass the aforesaid examination if he has already passed the same in the lower gazetted post.

(3) The Government may in consultation with the Himachal Pradesh Public Service Commission, grant in exceptional circumstances and for reasons to be reduced to writing, exemption in accordance with the Departmental Examination Rules to any class or category of persons from the departmental examination in whole or in part provided that such officer is not likely to be considered for any other higher promotion before the date of his superannuation.